

Senate Bill No. 578

Passed the Senate August 30, 2011

Secretary of the Senate

Passed the Assembly August 25, 2011

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2011, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 51225.2 to the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 578, Negrete McLeod. Schools: pupils in foster care: course credit.

(1) Existing law requires a local educational agency to designate a staff person as the educational liaison for foster children and requires the liaison to assist foster children when transferring from one school to another or from one school district to another in ensuring proper transfer of credits, records, and grades.

Existing law requires a school district to exempt a pupil in foster care from graduation requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements if the pupil, while the pupil is in grade 11 or 12, transfers into the school district from another school district or between high schools within the school district, unless the school district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high school while he or she remains eligible for foster care benefits pursuant to state law.

Existing law requires a school district and county office of education to accept for credit full or partial coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. If a pupil completes the graduation requirements of his or her school district of residence while being detained, the school district of residence is required to issue to the pupil a diploma from the school the pupil last attended before detention, or in the alternative, the county superintendent of schools is authorized to issue the diploma.

This bill would require a school district and county office of education to accept coursework satisfactorily completed by a pupil in foster care while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and to award that

pupil full or partial credit for the coursework completed. The bill would prohibit a pupil in foster care from being required to retake a course if the pupil satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the bill would prohibit the school district or county office of education from requiring the pupil to retake the portion of the course the pupil completed unless the school district or county office of education, in consultation with the holder of educational rights for the pupil, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. The bill would prohibit a pupil in foster care from being prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

By requiring a school district and a county office of education to award a pupil in foster care full or partial credit for the coursework completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 51225.2 is added to the Education Code, to read:

51225.2. (a) For purposes of this section, “pupil in foster care” means any child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code, is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, or has been removed from his or

her home and is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code.

(b) Notwithstanding any other law, a school district and county office of education shall accept coursework satisfactorily completed by a pupil in foster care while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and shall issue that pupil full or partial credit for the coursework completed.

(c) The credits accepted pursuant to subdivision (b) shall be applied to the same or equivalent course, if applicable, as the coursework completed in the prior public school, juvenile court school, or nonpublic, nonsectarian school or agency.

(d) A school district or county office of education shall not require a pupil in foster care to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the school district or county office of education shall not require the pupil to retake the portion of the course the pupil completed unless the school district or county office of education, in consultation with the holder of educational rights for the pupil, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the pupil in foster care shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course.

(e) A pupil in foster care shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved _____, 2011

Governor